

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

KITRICH A. POWELL,

Petitioner,

V.

WILLIAM GITTERE, *et al.*,

## Respondents.

Case No. 2:06-cv-01264-KJD-DJA

## ORDER

In this capital habeas corpus action, the respondents filed a motion to dismiss (ECF No. 235) on September 14, 2022. On June 29, 2023, Petitioner Kitrich A. Powell, who is represented by appointed counsel, filed an opposition to the motion to dismiss (ECF No. 245), along with a motion for leave to conduct discovery (ECF No. 248) and a motion for an evidentiary hearing (ECF No. 247). After a 30-day initial period (*see* ECF No. 100), a 45-day extension of time (ECF No. 253), and a 29-day extension of time (ECF No. 255), Respondents had until October 13, 2023, to file a reply to Powell’s opposition to the motion to dismiss and responses to Powell’s two motions.

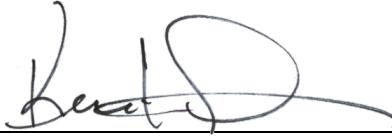
On October 13, 2023, Respondents filed a motion for extension of time (ECF No. 256), requesting a further 60-day extension, to December 12, 2023. Respondents' counsel states that this extension of time is necessary because of her obligations in other cases and responsibilities at the Office of the Nevada Attorney General. Respondents' counsel represents that Powell does not oppose the motion for extension of time. The Court finds that Respondents' motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the extension of time requested.

**IT IS THEREFORE ORDERED** that Respondents' Motion for Enlargement of Time (ECF No. 256) is **GRANTED**. Respondents will have until and including **December 12, 2023**, to file their reply to Petitioner's opposition to the motion to dismiss and responses to Petitioner's

1 motion for leave to conduct discovery and motion for an evidentiary hearing. In all other  
2 respects, the schedule for further proceedings set forth in the order entered August 24, 2020  
3 (ECF No. 100) will remain in effect.

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5 DATED THIS 18<sup>th</sup> day of October 2023.

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7 KENT J. DAWSON  
8 UNITED STATES DISTRICT JUDGE

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